In the Claims

The following Listing of Claims replaces all prior versions in the application:

LISTING OF CLAIMS

1. (Previously presented) An earpiece for sound delivery comprising:

(a) a housing;

(b) a speaker having a speaker axis and located in said housing; and,

(c) a rotatable cap configured to adjustably direct sound from the speaker away from the direction of the speaker axis towards the ear canal of a user such that adjustment of a primary direction of sound propagation from the earpiece is achieved.

2. (Original) An earpiece according to claim 1 wherein said rotatable cap comprises a body rotatably coupled to said housing, a bud extending from the body, and port means for providing sound communication from the speaker to the end of the bud.

3. (Original) An earpiece according to claim 2 wherein said bud is constructed so as not to occlude the ear when inserted in the entrance to a user's ear.

4. (Original) An earpiece according to claim 2 wherein said bud includes grooves so that said bud does not occlude the ear when inserted in the entrance to a user's ear.

5. (Original) An earpiece according to claim 2 wherein said bud has a diameter less than the diameter of the entrance to the user's ear so that said bud does not occlude the ear when inserted in the entrance to a user's ear.

6. (Original) An earpiece for sound delivery according to claim 2, wherein the bud has a substantially frusto conical shape.

7. (Original) An earpiece according to claim 2 wherein said port means comprises one port.

8. (Original) An earpiece for sound delivery according to claim 2, wherein the bud is a cylinder.

9. (Original) An earpiece for sound delivery according to claim 2, further comprising a hollow mushroom-shaped element coupled with an end of the bud.

10. (Previously presented) An earpiece for sound delivery according to claim 1, wherein the user's head has a front, a back and two sides, and the speaker is oriented with an angle between 45 degrees and 135 degrees to a side of the head of the user, an output side of the speaker facing to the front of the head of the user.

11. (Original) An earpiece for sound delivery according to claim 1, wherein the axis of the speaker is oriented substantially perpendicularly to the axis of the ear canal of a user.

12. (Original) An earpiece for sound delivery according to claim 1, wherein an angle of the axis of the bud to the axis of the speaker is between 15 degrees and 90 degrees.

13. (Original) An earpiece for sound delivery according to claim 2, wherein the material of the cap is silicone rubber.

14. (Withdrawn) An earset assembly comprising:

(a) An earpiece housing; and,

(b) a neck member shaped to cooperate with a user's ear and comprising a speaker housing and a microphone housing, said neck member being configured to connect to said earpiece housing.

15. (Withdrawn) An earset assembly according to claim 14, wherein said neck member forms a substantially U-shape to cooperate with a user's ear.

16. (Withdrawn) An earset assembly according to claim 14, wherein said neck member includes a substantially U-shaped portion to connect to said housing.

17. (Withdrawn) An earset sound delivery assembly according to claim 14, wherein neck member is bonded to the housing by ultrasonic welding.

18. (Withdrawn) An earset sound delivery assembly according to claim 14, wherein said earpiece housing comprises an antenna.

19. (Withdrawn) An earset assembly according to claim 14, wherein the material of the neck member is elastic material.

20. (Withdrawn) An earset assembly according to claim 14, wherein material of the neck member is rubber.

21. (Withdrawn) An earset assembly according to claim 14, wherein material of the neck member is silicone rubber.

22. (Withdrawn) An earset sound delivery assembly according to claim 14, further comprising a battery contained in the housing.

23. (Withdrawn) An earset assembly according to claim 14, further comprising a microphone contained in said neck member.

24. (Previously presented) An earset sound delivery device comprising:

(a) support means to support a speaker having a speaker axis in the concha of a user's ear; and

(b) a cap rotatably coupled to said support means and providing sound communication from the speaker to the entrance of a user's ear, said rotatable cap being rotatable to various angles to accommodate anatomical differences among users, said rotatable cap configured to adjustably direct sound from the speaker away from the direction of the speaker axis towards the ear canal of a user such that adjustment of a primary direction of sound propagation from the earset sound delivery device is achieved.

25. (Original) An earset sound delivery device according to claim 24 wherein said rotatable cap is rotatable about the axis of the speaker.

26. (Original) An earset sound delivery device according to claim 24 wherein said cap is constructed to form an acoustic seal with said speaker.

27. (Previously presented) An earpiece according to claim 1, wherein, when the earpiece is worn by a user, the axis of the speaker is substantially perpendicular to the axis of the user's ear canal.

28. (Previously presented) An earpiece according to claim 2, wherein substantially perpendicular to the axis of the user's ear canal includes a range of angles of said speaker axis of between plus 45 degrees and minus 45 degrees to a line perpendicular to the axis of the user's ear canal.

29. (Previously presented) An earpiece according to claim 1, wherein the rotatable cap is configured such that the angle between the speaker axis and the direction of sound propagation from the earpiece is between 15 degrees and 90 degrees, and, when the earpiece is worn by a user, the axis of rotation of the rotatable cap is substantially perpendicular to the axis of the user's ear canal.

30. (Previously presented) An earpiece according to claim 1, wherein the housing in which the speaker is positioned is a speaker housing, and said speaker housing is supported by an earset housing configured to fit the top of a user's ear, such that the speaker housing is supported adjacent to the ear canal of the user's ear.

31. (Currently amended) An earpiece according to claim 1, wherein, when the earpiece is worn by a user, a front face of the speaker is directed substantially forward, in the direction the user is facing.